

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
NORTHERN ILLINOIS GAS COMPANY,)
d/b/a NICOR GAS COMPANY)
)
) No. 04-0779
)
Proposed general increase in)
natural gas rates (Tariffs filed)
on November 4, 2004).)

Chicago, Illinois
March 7, 2005

Met pursuant to notice at 10:00 a.m.

BEFORE:

MR. IAN D. BRODSKY and THOMAS G. ARIDAS,
Administrative Law Judges.

APPEARANCES:

FOLEY & LARDNER LLP, by
MR. E. GLENN RIPPKE
321 North Clark Street, Suite 2800
Chicago, Illinois 60610
-and-
MR. NEIL J. MALONEY
1844 Ferry Road
Naperville, Illinois 60563
Appearing for Northern Illinois Gas;

1 APPEARANCES: (CONT'D)

2 MR. DAVID I. FEIN
550 West Washington Boulevard, Suite 300
3 Chicago, Illinois 60661
Appearing for Constellation NewEnergy
4 (Telephonically);

5 MS. LEIJUANA DOSS
ASSISTANT STATE'S ATTORNEY
6 69 West Washington Street, Suite 3130
Chicago, Illinois 60602
7 Appearing for the People of Cook County,
Illinois;
8

9 MR. JOHN C. FEELEY
MR. JOHN J. REICHART
MR. CARMEN L. FOSCO and
10 MS. CARLA SCARSELLA
160 North LaSalle Street, Suite C-800
11 Chicago, Illinois 60601
Appearing for Staff;
12

13 MS. FAITH E. BUGEL
35 East Wacker Drive, Suite 1300
Chicago, Illinois 60601
14 Appearing for Environmental Law & Policy
Center of the Midwest;
15

16 MR. MARK G. KAMINSKI and
MR. RISHI GARG
100 West Randolph Street, 11th Floor
17 Chicago, Illinois 60601
Appearing for the People of the
18 State of Illinois;

19 MR. ROBERT J. KELTER
208 South LaSalle Street, Suite 1760
20 Chicago, Illinois 60604
Appearing for CUB;
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22

1 APPEARANCES: (CONT'D)

2 ELMER STAHL KLEVORN & SOLBERG, LLP, by
3 MS. RONIT C. BARRETT
4 224 South Michigan Avenue, Suite 1100
Chicago, Illinois 60604
Appearing for Vanguard Energy Services;

5 LUEDERS ROBERTSON & KONZEN, LLC, by
6 MR. R. ERIC ROBERTSON
7 P.O. Box 735
1939 Delmar Avenue
Granite City, Illinois 62040
Appearing for IIEC
8 (telephonically).

9

10 ALSO PRESENT:

11 Mr. Neil Anderson
12 850 East Diehl Road, Suite 142
Naperville, Illinois 60563
Appearing for Vanguard Energy Services
13 (Telephonically);

14 Mr. John Hendrickson
15 Mr. Mark Maple and
Ms. Leslie Pugh
527 East Capital Avenue
16 Springfield, Illinois 62701
Appearing for Staff
17 (Telephonically).

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22 SULLIVAN REPORTING COMPANY, by
Tracy L. Overocker, CSR

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
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None.

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
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None so marked.

1 JUDGE ARIDAS: Pursuant to the direction of the
2 Illinois Commerce Commission, I now call Docket
3 No. 04-0779. This matter being Northern Illinois Gas
4 Company's proposed general increase in natural gas
5 rates.

6 Let's start with the appearances for
7 the record, first here in Chicago and then on the
8 bridge.

9 MR. FEELEY: Representing Staff of the Illinois
10 Commerce Commission, John C. Feeley, Carmen Fosco,
11 John Reichart and Carmen Scarsella, Office of General
12 Counsel, Illinois Commerce Commission; address is 160
13 North LaSalle Street, Suite C-800, Chicago, Illinois
14 60601.

15 MR. GARG: Representing the People of the State
16 of Illinois, Rishi Garg, G-a-r-g, first name
17 R-i-s-h-i, and Mark Kaminski from the Office of
18 Attorney General, Lisa Madigan, that's 100 West
19 Randolph, Floor 11, Chicago, Illinois 60601.

20 MR. KELTER: On behalf of the Citizens Utility
21 Board, Robert Kelter, 208 South LaSalle, Suite 1760,
22 Chicago 60604.

1 MR. RIPPIE: On behalf of Northern Illinois Gas
2 Company, d/b/a Nicor Gas, Glenn, two n's, Rippie,
3 R-i double p, as in Peter, i-e, of the law firm Foley
4 & Lardner, LLP, 321 North Clark Street, Suite 2800,
5 Chicago 60610.

6 MR. MALONEY: Also representing Northern
7 Illinois Gas Company, Neil Maloney, Assistant General
8 Counsel, 1844 Ferry Road, Naperville, Illinois 60563.

9 MS. BUGEL: Representing Environmental Law &
10 Policy Center, Faith Bugel, F-a-i-t-h, B, as in boy,
11 u-g-e-l, 35 East Wacker Drive, Chicago, Illinois
12 60601.

13 MS. BARRETT: Representing Vanguard Energy
14 Services, LLC, Ronit Barrett, R-o-n-i-t,
15 B-a-r-r-e-t-t from the law firm of Elmer Stahl
16 Klevorn & Solberg, 224 South Michigan Avenue, Suite
17 1100, Chicago, Illinois 60604.

18 MS. DOSS: Leijuana Doss, Cook County State's
19 Attorney's Office, 69 West Washington, Suite 3130,
20 Chicago, Illinois 60602, appearing on behalf of the
21 People of Cook County.

22 JUDGE ARIDAS: Anyone else in Chicago?

1 (No response.)

2 JUDGE ARIDAS: Let's go to those on the bridge.

3 MR. ROBERTSON: Eric Robertson, Lueders
4 Robertson & Konzen, P.O. Box 735, 1939 Delmar,
5 Granite City, Illinois 62040 on behalf of the
6 Illinois Industrial Energy Consumer.

7 MR. FEIN: David I. Fein on behalf of
8 Constellation NewEnergy Gas Division, LLC, 550 West
9 Washington Boulevard, Suite 300, Chicago, Illinois
10 60661.

11 MR. ANDERSON: Neil Anderson, Vanguard Energy
12 Services, 850 East Diehl Road, Suite 142, Naperville,
13 Illinois 60563.

14 JUDGE ARIDAS: Anyone else on the bridge?

15 MR. JOHN HENDRICKSON: Staff of the Commission
16 in Springfield is listening.

17 JUDGE ARIDAS: Who's on the phone?

18 MR. JOHN HENDRICKSON: This is John
19 Hendrickson, also Mark Maple and Leslie Pugh.

20 JUDGE ARIDAS: Let the record reflect there are
21 no further appearances. There's been several
22 Petitions to Intervene filed since our last hearing

1 date in January. Peoples Energy Service Corp. filed
2 on February 4th a Petition to Intervene. Another one
3 was filed on February 8th, BP Corporation, U.S.
4 Silica Company, Cargill, Inc., and Ford Motor
5 Company. On February 28th, Exxon Mobil Oil
6 Corporation, Hormel Food Service Corporate Services,
7 LLC, filed. And on February 28th also Vanguard
8 Energy Services, LLC, filed a Petition to Intervene.
9 And the final one I have is Cognis Corporation on
10 March 3rd.

11 Are there any objections to any of
12 these Petitions to Intervene?

13 MR. RIPPIE: Your Honor, I have not had an
14 opportunity to look at the last Petition to
15 Intervene. In fact, I'm not sure I received it yet;
16 but I presume this is a customer's petition asserting
17 an interest as a gas customer and assuming that
18 that's what it asserts. The Company has no objection
19 to those petitions.

20 I do have one matter to briefly raise
21 about the Vanguard petition if you'll permit me.

22 JUDGE ARIDAS: Of course.

1 MR. RIPPIE: The Vanguard petition states, as
2 is required by the rules, that Vanguard accepts the
3 record as it stands and that petition, as you know,
4 was filed about 24 hours prior to the testimony due
5 date. The testimony, however, contains several
6 statements in it to the effect that the witness,
7 Mr. Anderson, reserves the right to supplement his
8 testimony at a later date. Presuming that that
9 supplementation would occur at the time that Vanguard
10 would otherwise be eligible to file rebuttal
11 testimony and that whatever testimony Mr. Anderson
12 filed would conform to the rules for proper rebuttal,
13 we obviously have no problem with that; but I'd just
14 like to get counsel's confirmation that in accordance
15 with the rules on accepting the record as it stands,
16 that my understanding in that respect is accurate.

17 MR. BARRETT: Yes, your understanding is
18 accurate.

19 MR. RIPPIE: Then we have no objection.

20 JUDGE ARIDAS: Great. Anybody else have an
21 objection to Vanguard's Petition to Intervene?

22 (No response.)

1 JUDGE ARIDAS: Hearing none, the petitions are
2 granted.

3 Everything appears to be going as
4 scheduled so far. Staff and Intervenor filed their
5 direct testimony last Tuesday.

6 Is there anything else the parties
7 want to bring forward today?

8 MR. ROBERTSON: Your Honor, this is Eric
9 Robertson.

10 We were able -- I think I had
11 indicated at the original status hearing that we had
12 some difficulty with our witness and the timing of
13 his vacation and so forth that might affect our
14 filing date but we were able to file on time along
15 with the other parties.

16 I did want to remind everyone,
17 particularly the Company and you, that we also had a
18 potential conflict on the rebuttal but we may be able
19 to solve that one as well and we worked out a
20 procedure with the Company if we have to do that.

21 JUDGE ARIDAS: I do recall that conversation.

22 Is there anything else?

1 (No response.)

2 JUDGE ARIDAS: All right. This matter is
3 continued until -- do you have anything?

4 JUDGE BRODSKY: No.

5 JUDGE ARIDAS: This matter is continued until
6 May 10th at 1:30. Thank you.

7 (Whereupon, the hearing in the
8 above-entitled matter was
9 continued until May 10, 2005, at
10 1:30 p.m.)

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